



PATENT  
Customer No. 22,852  
SAP Reference: 2002P10100 US01  
Attorney Docket No. 07781.0115-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Michael CONRAD et al. ) Group Art Unit: 2185  
Application No.: 10/721,426 ) Examiner: KIM, Daniel Y.  
Filed: November 26, 2003 )  
For: METHOD AND SOFTWARE )  
APPLICATION FOR AVOIDING )  
DATA LOSS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

11/01/2006 MBERHE 00000054 10721426

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Application Serial No.: 10/721,426  
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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

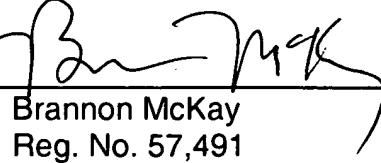
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

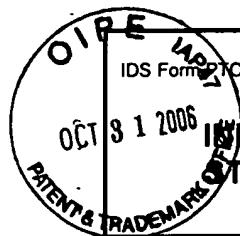
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 31, 2006

By: \_\_\_\_\_

  
Brannon McKay  
Reg. No. 57,491



IDS Form PTO/SB/08: Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	07781.0115-00000
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### Complete if Known

Application Number	10/721,426
Filing Date	November 26, 2003
First Named Inventor	Michael Conrad, et al.
Art Unit	2185
Examiner Name	KIM, Daniel Y.

### U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,862,599 B2	03-2005	King, Kevin D.	707/100
		US-6,408,292 B1	06-2002	Bakalash et al.	707/2
		US-5,764,973	06-1998	Lunceford et al.	707/1
		US-6,016497	01-2000	Suver, Christopher Allen	707/103R
		US-6,463,439 B1	10-2002	Dahlberg, Mikael	707/100
		US-6,611,837 B2	08-2003	Schreiber, Robert Walker	707/100
		US-6,636,875 B1	10-2003	Bashant et al.	707/201
		US-6,671,696 B1	12-2003	Holcombe et al.	707/103R
		US-2002/0059325 A1	05-2002	Beizer et al.	707/203
		US-5,890,153	03-1999	Fukuda et al.	707/8
		US-2002/0174200 A1	11-2002	Kozina, Gerald Edward	709/220
		US-2003/0233523 A1	12-2003	Jamil et al.	711/144

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.